



Grant Agreement / Local Resolution Form

295-15

Department: Office of Management and BudgetNot a DCJS Agreement: ☐**Details** Department has Reviewed DCJS Conditions: ☐ If checked, signature is electronic online

Local Resolution Title/Program: New York State Governor's Office of Storm Recovery (NYS GOSR) Community Development Block Grant—Disaster Recovery (CDBG-DR) Funding—required Section 504 Policy and Grievance Procedure specific to CDBG-DR Funding

Term: N/A to N/A

Check all that applies:

New <input checked="" type="checkbox"/> /Renewal	<input type="checkbox"/>
Amendment	<input type="checkbox"/>
Mandated Program	<input type="checkbox"/>
Local Resolution required	<input checked="" type="checkbox"/>
Application Included	<input type="checkbox"/>

Program/Activity/Source	Amount
County cash match	\$ 5,120,809
County in-kind	\$ 0
Federal	\$ 36,473,075
State	\$ 0
Other	\$ -
TOTAL	\$ 41,593,884

Routing Slip

Department Name	Office of Management and Budget	<i>K. Dulla</i>	
GM	Approved for submission		
OMB	(review by OMB bypassed if no County funds committed)	<i>K. Dulla</i>	
County Attorney	Approved for submission (drafts Local Resolution if required)	<i>[Signature]</i>	
LEG	Legislative Affairs	Approved for submission to Rules <input type="checkbox"/> / Leg. <input type="checkbox"/>	
County Comptroller	(bypassed for Grant Application)		
CDCE	Signed (bypassed for grant application if not required or already submitted)	<i>7/13/15</i>	<i>[Signature]</i>
Department	Agreement sent to grantor <input type="checkbox"/> Or Local Resolution approving application sent grantor upon receipt of stamped resolution		



		from County Attorney and, if necessary, signed application from CDCE <input type="checkbox"/>		
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Grant Agreement or Local Resolution Summary

Subject: Section 504 Policy and Grievance Procedure specific to NYS GOSR CDBG-DR-funded Projects

Purpose: The New York State Governor's Office of Storm Recovery (NYS GOSR) through its administration of the Community Development Block Grant—Disaster Recovery (CDBG-DR) Funding Program, pursuant to the Subrecipient Agreement between GOSR and Nassau County (NC) signed in September 2014 (NIFS ID# CQPW14000028), requires NC to have a Section 504 Policy and Grievance Procedure—that is specific to CDBG-DR Funding—in place in order to use the CDBG-DR funds for the eight (8) Hurricane Sandy Long Term Recovery projects listed below. Projects 1 to 5 will be fully funded using CDBG-DR funds whereas projects 6 to 8 will be partially funded using CDBG-DR funds.

1. Baldwin Downtown and Commercial Corridor Resiliency Plan (\$800,000)
2. Barnum Island/ the Village of Island Park/Harbor Isle: Drainage Improvement Plan (\$500,000)
3. Bay Park – East Rockaway Drainage Improvements – Hydrology and Hydraulic Study (\$250,000)
4. East Rockaway Bay Park Drainage Improvements – Lawson Avenue Check Valves (\$150,000)
5. Nassau County Police Department 4th Precinct Station House (\$12,000,000)
6. Nassau County Police Department 8th Precinct Station House (\$20,000,000 Total; \$15,000,000 CDBG-DR and \$5,000,000 Nassau County)
7. Five Towns Drainage Study (\$1,206,384 Total; \$1,085,575 CDBG-DR and \$120,809 Nassau County)
8. Barnes Avenue Hempstead Force Main and Pump Station Construction Contracts—(\$28,398,725 Total; \$6,687,500 CDBG-DR, \$2,597,400 FEMA, EFC \$19,113,825)

Benefits to the County: NA

Next Steps: Subsequent to the adoption of a CDBG-DR Funding- Specific Section 504 Policy and Grievance Procedure, NC will be able to issue Request for Proposals (RFPs) and Bids to procure A/E and Construction services that are necessary to complete the eight (8) Hurricane Sandy Long Term Recovery projects referenced therein..

Description of General Provisions: NA

County funding commitment required: Nassau County's capital plan includes \$5,000,000 for the NCPD 4th Precinct Station House and \$120,809 for the Five Towns Drainage Study.

Change in Grant Agreement from any prior award: NO

Recommendation: Approve as submitted

Staff Contact Information

OMB Grant	Dept. / County / Municipality	County Attorney Contact
Name: Christopher L. Nolan Deputy Budget Director Office of Management and	Name:	Name

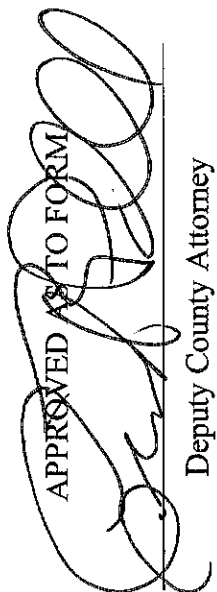


Budget		
Phone 516-571-4269	Phone	Phone

Document Prepared By: Sean Sallie, Planning Supervisor, NCDPWDate: July 09, 2015

RESOLUTION NO. - 2015

A RESOLUTION ADOPTING THE SECTION 504 POLICIES AND GRIEVANCE PROCEDURES UNDER THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR) PROGRAM.

APPROVED AS TO FORM

Deputy County Attorney

RECEIVED
CLERK OF THE COUNTY OF NASSAU
2015 JUL 13 A 11:50

WHEREAS, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD, and

WHEREAS, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures, and

WHEREAS, it is the policy of Nassau County not to discriminate against any individual, person, or group on the basis of disability and the intent of the Nassau County to address any complaints that may arise pursuant to Section 504,

NOW, THEREFORE, BE IT RESOLVED that

Section 1. Nassau County does hereby adopt internal grievance procedures (the "Procedure") providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and be it further resolved; that

§2. The Nassau County Legislature does hereby designate the Nassau County Deputy Executive for Minority Affairs as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and be it further resolved; that

§3. Nassau County will place its employees, the public, and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) putting the public on notice by placing a notice in Nassau County's official newspaper, posting of notices in Nassau County's offices and/or facilities, placing notices in Nassau County's publications, and/or distribution of memoranda or other written communications subsequent to adoption of this Procedure, (3) placing copies of the Procedure in the Nassau County Office of Minority Affairs at 1 West Street, First Floor Mineola, NY 11501 and on the internet at <http://www.nassaucountyny.gov/3886/NYS-GOSR-Community-Reconstruction-Program> for review and dissemination, and (4) adding language to federal program brochures to insure all potential program beneficiaries are aware of Nassau County's adopted grievance procedures and be it further resolved that;

§4. This resolution will take effect immediately.



County of Nassau Inter-Agency Memo

To: Clerk of the County Legislature
From: County Attorney
Date: July 9, 2015
Subject: RESOLUTION - ORIG. DEPT. – Office of Management and Budget

A Resolution adopting the Section 504 Policies and Grievance Procedures Under the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program; Pursuant to the County Government Law of Nassau County and the Nassau County Administrative Code.

The above-described document attached hereto is forwarded for your review and approval and subsequent transmittal to the County Legislature for inclusion upon its calendar.

CARNELL T. FOSKEY
County Attorney

A large, stylized handwritten signature in black ink, which appears to read "Gerald R. Podlesak".

By: Gerald R. Podlesak
Deputy County Attorney
Opinions and Appeals Bureau

Nicholas Vevante
Law Assistant, Temp

Attachments

BACKGROUND: Section 504 of the Rehabilitation Act of 1973 (the “Act”) as amended prohibits discrimination on the basis of disability in programs and activities conducted by HUD or that receive financial assistance from HUD. This includes the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funded by HUD, administered by the Governor’s Office of Storm Recovery (GOSR), and under which Nassau County has received financial assistance. The Act specifically provides that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The Americans with Disabilities Act of 1990 (ADA) established provisions for assuring equality of opportunity, full participation, independent living, and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities, and multi-family housing.

SECTION 504 POLICY/COMPLIANCE: Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires the adoption and notice/publication of ADA grievance procedures for municipalities with 15 or more employees, Sections 8.53 and 8.54, respectively. Therefore, be it known that it is the policy of Nassau County not to discriminate on the basis of disability. Towards that end, Nassau County has adopted by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law and implementing regulations

may be examined in the Nassau County Office of Minority Affairs at 1 West Street, First Floor, Mineola, NY 11501. The Deputy Executive for Minority Affairs, i.e., the Section 504 Grievance Procedure Coordinator for Nassau County has been designated to coordinate the efforts of Nassau County with respect to Section 504 compliance. This information can also be accessed on the Internet at the following address:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504 and on the DPW's website at

<http://www.nassaucountyny.gov/3886/NYS-GOSR-Community-Reconstruction-Progra>. The Nassau County Office of Minority Affairs is located at 1 West Street, First Floor, Mineola, NY 11501. The Section 504 Coordinator can be reached at 516-572-2240.

Nassau County will make appropriate arrangements to ensure that disabled persons are provided accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

It is against the law for Nassau County to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

GRIEVANCE PROCEDURE: Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under the procedure adopted by Nassau County outlined below.

- Grievances must be submitted to the Section 504 Coordinator within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of Nassau County relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to Nassau County the Nassau County Human Rights Commission within 15 days of receiving the Section 504 Coordinator's decision. The Nassau County Human Rights Commission shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.